

## INDEX

### CHAPTER 330 MUNICIPAL SOLID WASTE

#### SUBCHAPTER A : GENERAL INFORMATION

- §330.1. Declaration and Intent.
- §330.2. Definitions.
- §330.3. Applicability.
- §330.4. Permit Required.
- §330.5. General Prohibitions.
- §330.6. Technical Guidelines.
- §330.7. Deed Recordation.
- §330.8. Notification Requirements.
- §330.9. Financial Assurance Required.
- §330.10. Closure.
- §330.11. Relationships with Other Governmental Entities.
- §330.12. Relationship with County Licensing System.
- §330.13. Severability.
- §330.14. Arid Exemption Process.
- §330.15. Effective Date.

#### SUBCHAPTER B : MUNICIPAL SOLID WASTE STORAGE

- §330.21. Applicability.
- §330.22. Storage Requirements.
- §330.23. Approved Containers.
- §330.24. Citizen's Collection Stations.
- §330.25. Requirements for Stationary Compactors.

#### SUBCHAPTER C : MUNICIPAL SOLID WASTE COLLECTION AND TRANSPORTATION

- §330.31. Applicability.
- §330.32. Collection and Transportation Requirements.
- §330.33. Collection Vehicles and Equipment.
- §330.34. Collection Spillage.

#### SUBCHAPTER D : CLASSIFICATION OF MUNICIPAL SOLID WASTE FACILITIES

- §330.41. Types of Municipal Solid Waste Facilities.

#### SUBCHAPTER E : PERMIT PROCEDURES

- §330.50. Pre-Application Review.
- §330.51. Permit Application for Municipal Solid Waste Facilities.

- §330.52. Technical Requirements of Part I of the Application.
- §330.53. Technical Requirements of Part II of the Application.
- §330.54. Technical Requirements of Part III of the Application.
- §330.55. Site Development Plan.
- §330.56. Attachments to the Site Development Plan.
- §330.57. Technical Requirements of Part IV of the Application.
- §330.58. Technical Requirements of Part V of the Application
- §330.59. Additional Technical Requirements of the Application for Solid Waste Processing and Experimental Sites (Types V and VI)
- §330.60. Technical Requirements of an Application for Registration of Solid Waste Facilities (Type V and Type VI)
- §330.61. Land-Use Public Hearing.
- §330.62. Property Rights.
- §330.63. Duration and Limits of Permits.
- §330.64. Additional Standard Permit Conditions for Municipal Solid Waste Facilities.
- §330.65. Registration for Solid Waste Management Facilities.
- §330.66. Liquid Waste Transfer Facility Design and Operation.
- §330.70. Registration of Facilities that Recover Gas for Beneficial Use.
- §330.71. Registration for Municipal Solid Waste Facilities that Process Grease Trap Waste, Grit Trap Waste, or Septage.
- §330.72. Registration for Mobile Liquid Waste Processing Units.
- §330.73. Registration of Demonstration Projects for Liquid Waste Processing Facilities.

#### SUBCHAPTER F : OPERATIONAL STANDARDS FOR SOLID WASTE LAND DISPOSAL SITES

- §330.111. General.
- §330.112. Pre-Operation Notice.
- §330.113. Record-Keeping Requirements.
- §330.114. Site Operating Plan.
- §330.115. Fire Protection.
- §330.116. Access Control.
- §330.117. Unloading of Waste.
- §330.118. Hours of Operation.
- §330.119. Site Sign.
- §330.120. Control of Windblown Waste and Litter.
- §330.121. Easements and Buffer Zones.
- §330.122. Landfill Markers and Benchmark.
- §330.123. Materials Along the Route to the Site.
- §330.124. Disposal of Large Items.
- §330.125. Air Criteria.
- §330.126. Disease Vector Control.
- §330.127. Site Access Roads.
- §330.128. Salvaging and Scavenging.
- §330.129. Endangered Species Protection.
- §330.130. Landfill Gas Control.
- §330.131. Abandoned Oil and Water Wells.
- §330.132. Compaction.

- §330.133. Landfill Cover.
- §330.134. Ponded Water.
- §330.135. Waste in Enclosed Containers or Enclosed Vehicles Accepted at Type IV Landfills.
- §330.136. Disposal of Special Wastes.
- §330.137. Disposal of Industrial Wastes.
- §330.138. Screening of Deposited Waste.
- §330.139. Contaminated Water Discharge.

#### SUBCHAPTER G : OPERATIONAL STANDARDS FOR SOLID WASTE PROCESSING AND EXPERIMENTAL SITES

- §330.150. General.
- §330.151. Overloading and Breakdown.
- §330.152. Sanitation.
- §330.153. Water Pollution Control.
- §330.154. Ventilation and Air Pollution Control.
- §330.155. Litter Control.
- §330.156. Safety.
- §330.157. Fire Protection.
- §330.158. Employee Sanitation Facilities.
- §330.159. Facility Completion and Closure Procedures.
- §330.171. Recordkeeping Requirements Applicable to Owners or Operators of Type V Processing Facilities.

#### SUBCHAPTER H : GROUND-WATER PROTECTION DESIGN AND OPERATION

- §330.200. Design Criteria.
- §330.201. Leachate Collection System.
- §330.202. Alternate Design.
- §330.203. Special Conditions (Liner Design Constraints).
- §330.204. Geological Faults.
- §330.205. Soils and Liner Quality Control Plan.
- §330.206. Soils and Liner Evaluation Report (SLER) and Flexible Membrane Liner Evaluation Report (FMLER)

#### SUBCHAPTER I : GROUND-WATER MONITORING AND CORRECTIVE ACTION

- §330.230. Applicability.
- §330.231. Ground-Water Monitoring Systems.
- §330.232. [RESERVED]
- §330.233. Ground-Water Sampling and Analysis Requirements.
- §330.234. Detection Monitoring Program.
- §330.235. Assessment Monitoring Program.
- §330.236. Assessment of Corrective Measures.
- §330.237. Selection of Remedy.

- §330.238. Implementation of the Corrective Action Program.
- §330.239. Ground-Water Monitoring at Type IV Landfills.
- §330.240. Ground-Water Monitoring at Other Types of Landfills and Facilities.
- §330.241. Constituents for Detection Monitoring.
- §330.242. Monitor-Well Construction Specifications.

#### SUBCHAPTER J : CLOSURE AND POST-CLOSURE

- §330.250. Applicability.
- §330.251. Closure Requirements for MSWLF Units That Stop Receiving Waste prior to October 9, 1991 and MSW Sites.
- §330.252. Closure Requirements for MSWLF Units That Receive Waste on or after October 9, 1991, But Stop Receiving Waste prior to October 9, 1993.
- §330.253. Closure Requirements for MSWLF Units That Receive Waste on or after October 9, 1993 and MSW Sites.
- §330.254. Post-Closure Care Maintenance Requirements.
- §330.255. Post-Closure Land Use.
- §330.256. Completion of Post-Closure Care Maintenance.

#### SUBCHAPTER K : FINANCIAL ASSURANCE

- §330.280. Applicability.
- §330.281. Financial Assurance for Closure of Landfills.
- §330.282. Financial Assurance for Closure of Process Facilities.
- §330.283. Financial Assurance for Post-Closure Care of Landfills.
- §330.284. Financial Assurance for Corrective Action.
- §330.285. Financial Assurance Mechanisms.
- §330.286. Wording of the Instruments.

#### SUBCHAPTER L : LOCATION RESTRICTIONS

- §330.300. Airport Safety.
- §330.301. Floodplains.
- §330.302. Wetlands.
- §330.303. Fault Areas.
- §330.304. Seismic Impact Zones.
- §330.305. Unstable Areas.

#### SUBCHAPTER M : SOLID WASTE TECHNICIAN TRAINING AND CERTIFICATION PROGRAM

- §330.381. Purpose.
- §330.382. General.
- §330.283. Classification of Municipal Solid Waste Sites.
- §330.384. Definitions.

- §330.385. Administration.
- §330.386. Application for Letter of Competency.
- §330.387. Qualification.
- §330.388. Renewal.
- §330.389. Revocation.
- §330.390. Recommendations for Solid Waste Facility Owners/Operators.
- §330.391. Fees.

#### SUBCHAPTER N : LANDFILL MINING

- §330.401. Definitions.
- §330.402. Applicability.
- §330.403. General Requirements.
- §330.404. Variances.
- §330.405. Relationship with Operating Landfills.
- §330.406. Air Quality Requirements.
- §330.407. Registration Application Processing.
- §330.408. Location Standards.
- §330.409. Operational Requirements and Design Criteria.
- §330.410. Soils and Liner Quality Control Plan.
- §330.411. Soils and Liner Evaluation Report (SLER) and Flexible Membrane Liner Evaluation Report (FMLER)
- §330.412. Records Requirements.
- §330.413. Certification by Engineer, Ownership or Control of Land, and Inspection.
- §330.414. Required Forms, Applications, and Reports.
- §330.415. Additional Requirements for Municipal Solid Waste Mining Facilities.
- §330.416. Registration Application Preparation.
- §330.417. Sampling and Analysis Requirements for Soil Final Product.
- §330.418. Final Soil Product Grades.
- §330.419. Allowable Uses of Final Soil Product by Grade.

#### SUBCHAPTER O : GUIDELINES FOR REGIONAL AND LOCAL SOLID WASTE MANAGEMENT PLANS

- §330.561. Purpose and Scope.
- §330.562. Definitions of Terms and Abbreviations.
- §330.563. Regional and Local Plan Requirements.
- §330.564. Coordination with Other Programs.
- §330.565. Public Participation Requirements for Solid Waste Plans.
- §330.566. Procedures for Regional and Local Plan Submission and Approval.
- §330.567. Financial Assistance for Regional and Local Plans.
- §330.568. Approved State, Regional, and Local Solid Waste Management Plans.
- §330.569. Regional Solid Waste Grants Program.

#### SUBCHAPTER P : FEES AND REPORTING

- §330.601. Purpose and Applicability.
- §330.602. Fees.
- §330.603. Reports.
- §330.604. Composting Refund.
- §330.621. Purpose and Applicability.
- §330.622. Annual Reports.
- §330.623. Annual Registration Fees.
- §330.631. Purpose and Applicability.
- §330.632. Annual Reports.
- §330.633. Annual Registration Fees.
- §330.641. Purpose and Applicability.
- §330.642. Annual Reports.
- §330.643. Annual Registration Fees.

#### SUBCHAPTER Q : MEMORANDA OF AGREEMENT AND JOINT RULES WITH OTHER AGENCIES

- §330.701. Definitions.
- §330.702. Applicability.
- §330.703. Permit Conditions.
- §330.704. Representations in Applications for Permits.
- §330.705. Responsibility for Review of Air Quality Impacts from Municipal Solid Waste Facility Units That Burn or Incinerate Solid Wastes
- §330.706. Air Emissions Requirements for Municipal Solid Waste Facility Units That Burn or Incinerate Solid Waste
- §330.721. Adoption by Reference.
- §330.731. Adoption by Reference.
- §330.732. Adoption by Reference.
- §330.733. Adoption of Memorandum of Understanding by Figure.
- §330.735. Memorandum of Understanding between the Texas Natural Resource Conservation Commission and the Texas Department of Health concerning Special Wastes from Health Care Related Facilities.

#### SUBCHAPTER R : MANAGEMENT OF WHOLE USED OR SCRAP TIRES

- §330.801. Purpose.
- §330.802. Applicability.
- §330.803. Definitions.
- §330.804. The Use of Tire Shreds in Landfills.
- §330.805. Generators of Scrap Tires.
- §330.806. Generator Registration.
- §330.807. Generator Record Keeping.
- §330.808. On Site Storage.
- §330.809. Transportation Requirements.
- §330.810. Penalties for Generators.

- §330.811. Transporters of Whole Used or Scrap Tires.
- §330.812. Transporter Registration.
- §330.813. Delivery Requirement.
- §330.814. Vehicle and Equipment Sanitation Standards.
- §330.815. Transporter Record Keeping.
- §330.816. Interstate Transportation.
- §330.817. Transporter Fees.
- §330.818. Penalties for Transporters.
- §330.820. Processor's WTRF Allocation Method.
- §330.821. Processor's WTRF Allocation Model Factors.
- §330.822. Calculation of Factors for Processor's WTRF Allocation Model.
- §330.823. Determination of the Weighing Factors for the Processor's Allocation Model.
- §330.824. Notification of Allocation.
- §330.825. Fiscal Audits.
- §330.826. WTRF Fiscal Audits.
- §330.827. Overpayment from the WTRF.
- §330.828. WTRF Program Reviews, Applicability and Responsibility.
- §330.829. WTRF Program Reviews.
- §330.830. Penalties for Records Violations.
- §330.831. Storage of Whole Used or Scrap Tires or Shredded Tire Pieces.
- §330.832. Waste Tire Storage Facility Classification.
- §330.833. Waste Tire Storage Facility Registration.
- §330.834. Evidence of Financial Responsibility.
- §330.835. Requirements for a Type VIII-R Waste Tire Storage Facility.
- §330.836. Delivery Requirement.
- §330.838. Requirements for a Type VIII-W.T. Waste Tire Storage Facility.
- §330.840. Penalties for Owners or Operators of Waste Tire Storage Facilities.
- §330.841. Waste Tire Facility Processors of Scrap Tires.
- §330.842. Waste Tire Facility Classification and Operation.
- §330.843. Waste Tire Facility Registration.
- §330.844. Evidence of Financial Responsibility.
- §330.845. Waste Tire Facility Record Keeping.
- §330.846. Deliver Requirement.
- §330.847. Operational Requirements for Waste Tire Facilities.
- §330.848. Eligibility for the Waste Tire Recycling Fund (WTRF) Program.
- §330.849. Penalties for Waste Tire Facilities.
- §330.850. Applicability and Responsibility for End Use of Scrap Tires.
- §330.851. Applicability and Responsibility for Waste Tire Recycling Facilities.
- §330.852. Requirements for Registration for a Waste Tire Recycling Facility.
- §330.853. Applicability and Responsibility for Waste Tire Energy Recovery Facilities.
- §330.854. Funding for Waste Tire Energy Recovery Facilities.
- §330.855. Requirements for Registration for a Waste Tire Energy Recovery Facility.
- §330.856. Applicability and Responsibility for Waste Tire Transfer Stations or Collection Centers.
- §330.857. Requirements for Registration for a Waste Tire Transfer Station or Collection Center.
- §330.858. Requirements for a Waste Tire Transportation Facility.
- §330.859. Penalties for Owners and Operators of Waste Tire Recycling Facilities, Waste Tire Energy Recovery Facilities, Waste Tire Transfer Stations or Collection Centers, and Waste Tire Transportation Facilities.

- §330.860. Special Authorization Priority Enforcement List.
- §330.861. Priority Enforcement List (PEL) Program.
- §330.862. Potentially Responsible Party (PRP).
- §330.863. Priority Enforcement List (PEL).
- §330.864. Ranking of Illegal Waste Tire Sites.
- §330.865. Contracting of PEL Sites.
- §330.866. Pre PEL Clean-Up Responsibilities.
- §330.867. Site Clean-Up Agreement.
- §330.868. Approval to Collect and Utilize Tires from PEL Sites.
- §330.869. Post PEL Clean-Up Responsibilities.
- §330.870. Authority of Commission Personnel.
- §330.871. Waste Tire Recycling Fund (WTRF).
- §330.872. WTRF Program Operation.
- §330.873. Public Notice of Intent to Operate.
- §330.874. WTRF Grants.
- §330.875. Confidentiality.
- §330.876. WTRF Reimbursement Policies and Procedures.
- §330.877. Transfer of Appropriated Funds Within the WTRF.
- §330.878. Special Authorization Tires.
- §330.879. Community Service.
- §330.880. Executive Director's Regional Site Directive or Central Office Report.
- §330.881. Protest of Site Directive and/or Central Office Report.
- §330.882. Formal Petition.
- §330.883. Hearing by the Commission.
- §330.884. End Use Credit System.
- §330.885. Cost Estimate for Closure.
- §330.886. Financial Assurance for Closure.
- §330.887. Incapacity of Owners or Operators or Financial Institutions.
- §330.888. Wording of the Instruments.
- §330.889. Special Conditions for Beneficial Use of Scrap Tires.

#### SUBCHAPTER S : ASSISTANCE GRANTS AND CONTRACTS

- §330.890. General Program Information.
- §330.891. Applied Research Grant Program.
- §330.892. Demonstration Grant Program.
- §330.893. Feasibility Study Grant Program.
- §330.894. Technical Assistance Grant Program.
- §330.895. Information Exchange Program.
- §330.896. Public Education and Awareness Grant Program.
- §330.897. Supplemental Funding for the Enforcement of the Solid Waste Disposal Act and the Litter Abatement Act

#### SUBCHAPTER T : USE OF LAND OVER CLOSED MUNICIPAL SOLID WASTE LANDFILLS

- §330.951. Definitions.



- §330.952. Applicability and Exemptions.
- §330.953. Soil Test Required Before Development.
- §330.954. Development Permit and Registration Requirements, Procedures, and Processing
- §330.955. Prohibitions.
- §330.956. Permit Application for Development Over a Closed Municipal Solid Waste Landfill Unit.
- §330.957. Technical Requirements of Part A of the Application..
- §330.958. Technical Requirements of Part B of the Application..
- §330.959. Requirements for Registration of an Existing Structure Built Over a Closed Municipal Solid Waste Landfill Unit.
- §330.960. Operational Requirements for an Enclosed Structure Over a Closed Municipal Solid Waste Landfill Unit.
- §330.961. Notice to Real Property Records.
- §330.962. Notice to Buyers, Lessees, and Occupants.
- §330.963. Lease Restrictions.

#### SUBCHAPTER U : GRANTS PERTAINING TO THE COLLECTION, REUSE, AND RECYCLING OF USED OIL

- §330.970. Purpose and Scope.
- §330.971. Applicability.
- §330.972. Authority.
- §330.973. Definitions of Terms and Abbreviations.
- §330.974. Eligible Grant-Supported Activities.
- §330.975. Eligible Applicants.
- §330.976. Grant Announcement and Recipient Selection.

#### SUBCHAPTER V : WASTE TIRE RECYCLING AND ENERGY RECOVERY GRANTS

- §330.980. Purpose and Scope.
- §330.981. Applicability.
- §330.982. Authority.
- §330.983. Definitions of Terms and Abbreviations.
- §330.984. Eligible Grant-Supported Activities.
- §330.985. Eligible Applicants.
- §330.986. Additional Recycling Facility Construction Grant Requirements.
- §330.987. Additional Requirements for Waste Tire Energy Recovery Facility Grants for Tire Shred Users.
- §330.988. Additional Requirements for Waste Tire Energy Recovery Facility Grants for Whole Tire Users.
- §330.989. Grant Announcement and Recipient Selection.

#### SUBCHAPTER Y : MEDICAL WASTE MANAGEMENT

- §330.1001. Purpose.
- §330.1002. Applicability.
- §330.1003. Definitions.
- §330.1004. Generators of Medical Waste.

- §330.1005. Transporters of Medical Waste.
- §330.1006. Transfer of Shipments of Medical Waste.
- §330.1007. Interstate Transportation.
- §330.1008. Medical Waste Collection Stations.
- §330.1009. Storage of Medical Waste.
- §330.1010. On-site Treatment Services on Mobile Vehicles.

## SUBCHAPTER Z : WASTE MINIMIZATION AND RECYCLABLE MATERIALS

### RECYCLING RATES AND REPORTING REQUIREMENTS

- §330.1051. Purpose and Scope.
- §330.1052. Definitions of Terms and Abbreviations.
- §330.1053. Recordkeeping and Reporting Requirement.
- §330.1054. Recycling, Waste Stream Reduction, and Per Capita Waste Generation Rates.

### MANAGEMENT OF LEAD-ACID BATTERIES

- §330.1101. Purpose.
- §330.1102. Applicability.
- §330.1103. Disposal of Batteries.
- §330.1104. Retail Sale of Lead-acid Batteries.
- §330.1105. Wholesale Sale of Lead-acid Batteries.
- §330.1106. Notice Requirements.
- §330.1107. Recordkeeping.
- §330.1108. Inspection of Battery Retailers.
- §330.1109. Penalties.

### USED OIL COLLECTION, MANAGEMENT AND RECYCLING

- §330.1141. Purpose.
- §330.1142. Applicability.
- §330.1143. Definitions.
- §330.1144. Public Notice by Retail Dealer.
- §330.1145. Used Oil Collection Centers.
- §330.1146. Limitation of Liability.
- §330.1147. Registration and Other Requirements for Persons Involved in the Transportation, Marketing, or Recycling of Used Oil
- §330.1148. Prohibited Actions; Penalties.
- §330.1149. Criminal Penalties.
- §330.1150. Civil Penalties.
- §330.1151. Injunctive Relief.
- §330.1152. Venue.

### USED OIL REIMBURSEMENT FUND

- §330.1170. Purpose of Used Oil Reimbursement Program.

- §330.1171. Applicability of Used Oil Reimbursement Program Rules.
- §330.1172. Definitions Pertaining to Used Oil Reimbursement Program.
- §330.1173. General Conditions and Limitations Regarding Used Oil Reimbursement.
- §330.1174. Procedures for Reimbursement.

#### USED OIL FILTER COLLECTION, MANAGEMENT AND RECYCLING

- §330.1180. Applicability.
- §330.1181. Definitions.
- §330.1182. General Requirements.
- §330.1183. Storage Facilities.
- §330.1184. Transportation of Used Oil Filters.
- §330.1185. Processors.
- §330.1186. Public Used Oil Filter Collection Centers and Used Oil Filter Generators.
- §330.1187. Shipping Documentation.
- §330.1188. Penalties.
- §330.1189. Generators Regulated by the Railroad Commission of Texas.

#### NEWSPRINT RECYCLING

- §330.1200. Purpose and Definitions.
- §330.1201. General Guidelines and Requirements.
- §330.1202. Requirements of Texas Water Commission.
- §330.1203. Reports.
- §330.1204. Joint Review.
- §330.1205. Enforcement.